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VIRGIL W. DUFFIE, III, CHIEF CORPORATE COUNSEL, ENVIRONMENTAL

January 21, 2005

**VIA UNITED PARCEL SERVICE**  
**OVERNIGHT DELIVERY**

Ms. Beverly Kush, Acting Chief  
Emergency Response Branch  
United States Environmental Protection Agency  
Region 5  
77 West Jackson Boulevard  
Chicago, Illinois 60604-3590

EPA Region 5 Records Ctr.



285392

RE: RRG Clayton Chemical Site (the "Site") in One Mobile Avenue, Sauget, Illinois

Dear Ms. Kush:

This letter is in response to the U.S. Environmental Protection Agency's initial General Notice of Liability letter dated November 22, 2004, and the subsequent letter dated December 23, 2004 in connection with the above-referenced Site. The US EPA's preliminary investigation of the Site's historical records has apparently identified Safety-Kleen (TS), Inc. as being associated with the Clayton Chemical Site operations. As you may know, on June 9, 2000, Safety-Kleen Corp. ("Safety-Kleen") and seventy-three of its U.S. subsidiaries, filed petitions for Chapter 11 Bankruptcy relief in the United States Bankruptcy Court for the District of Delaware. In connection with its reorganization, Safety-Kleen sold its Chemical Services Division ("CSD") to Clean Harbors Environmental Services, Inc. of Braintree, Massachusetts ("Clean Harbors") on or about September 10, 2002. In connection with the acquisition of the CSD assets, Clean Harbors also assumed certain liabilities.


As a result of the above mentioned transaction, Safety-Kleen (TS), Inc.'s assets and records were part of the Chemical Services Division that Safety-Kleen sold to Clean Harbors. Because the business records of Safety-Kleen (TS), Inc. have been transferred to Clean Harbors, Safety-Kleen has not been able to do any additional investigation into this matter. In addition, Safety-Kleen is in the process of reviewing all the complicated bankruptcy and transactional issues and defenses related to this matter. Despite these complications, and not waiving any available defenses, Safety-Kleen is willing to cooperate with the EPA and review the situation to explore resolution of this matter.

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Should you have any questions or comments, or require anything further, please do not hesitate to contact me at (972) 265-2051.

Sincerely,



Virgil W. Duffie  
Assistant General Counsel

VWD/cem

cc: Tom Turner, Associate Regional Counsel, U.S. EPA